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To: Mail Stop Amendment

Facsimile: 1-703-⁸⁷²~~827~~-9306
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From: Rhonda Fairchild

Telephone: 832-813-4289
Time Sent: 3:37 PM

Date: April 7, 2005

Operator: Rhonda Fairchild

Re: 10/076,064 (our reference: 210145US00)

Comments:

Please call Rhonda Fairchild at 832-813-4289 if all pages are not received.

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APR 07 2005

210145US00
10/076,064
Art Unit: 1714**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Hu Yang, et. al
Serial Number 10/076,064
Filed February 14, 2002
Examiner Joseph D. Anthony
Group Art Unit 1714
For: OXYGEN SCAVENGING COMPOSITIONS COMPRISING
POLYMERS DERIVED FROM BENZENEDIMETHANOL
MONOMERS

**RESPONSE TO RESTRICTION REQUIREMENT
DATED MARCH 9, 2005****MAIL STOP AMENDMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CERTIFICATE OF FACSIMILE
37 C.F.R. § 1.6(d)**

I hereby certify that this paper is being facsimile transmitted to Mail Stop
Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450, facsimile number 1-703-827-9306, on April 7, 2005

Rhonda Fairchild
Rhonda Fairchild

Sir:

This paper is submitted in response to the Restriction Requirement dated March 9, 2005,
for which the date for response is April 9, 2005.

The Applicants believe that no fee is due for filing this Office Action Response. If any fee
under 37 C.F.R. § § 1.16 to 1.21 is required for any reason the Commissioner authorized to deduct
said fee(s) from Chevron Phillips Chemical Company LP Deposit Account No. 50-1629.

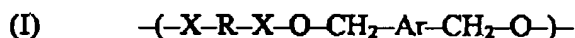
In the Restriction Requirement, the Examiner stated that restriction was required to one of the
following groups:

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<u>Group</u>	<u>Claims</u>	<u>Drawn To</u>
I	1-6	An oxygen scavenging composition
II	7-24	An oxygen barrier packaging article
III	25-32	A method of initiating oxygen scavenging

In response to the restriction requirement, Applicants elect to prosecute claims 7-24, *i.e.*, the Group II claims. Applicants traverse the requirement on the following grounds. Although the inventions are distinct in light of the conditions given at MPEP §806.05(h), §806.04(b) and §806.04(h), Applicants respectfully submit there is no undue burden on the Examiner to search all groups as *each group has the same limitation* relating to "an oxygen scavenging polymer comprising structure I:

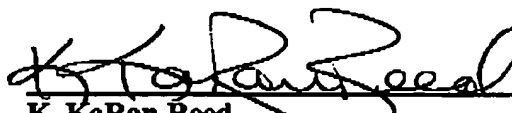


wherein -R- is selected from the group consisting of C₁-C₂₄ alkyl, C₁-C₂₄ substituted alkyl, C₆-C₂₄ aryl, and C₆-C₂₄ substituted aryl; -Ar- is selected from the group consisting of C₆-C₂₄ aryl, and C₆-C₂₄ substituted aryl; and -X- is selected from the group consisting of null and -C(=O)-."

The Examiner is invited to contact the undersigned patent attorney at (832) 813-4339 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

Date: April 7th 2005
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